DISTRICT OF MARYLAND Baltimore Division

In re	? :					*	Case No. 25-184-ELG
Swain Landing LaPlata JC, LLC						*	U.S. Bankruptcy Court for the District of
		C				*	Columbia
Debtor						*	
*	*	*	*	*	*	*	
Claudia Engelhorn, et al.						*	Adv. Proc. No.: 25-00159
						*	U.S. Bankruptcy Court for the District of
Plaintiffs						*	Maryland
						*	•
v.						*	Case No.: C-24-CV-002631
						*	Circuit Court for Baltimore City,
Erik D. Bolog, et al.						*	Maryland
		C				*	•
						*	
Defendants						*	
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MOTION FOR ABSTENTION AND REMAND

Plaintiffs/Counter-Defendants, Claudia Engelhorn, Individually, and as Trustee of the Whitewater Revocable Trust dated September 30, 2021, as amended, and White Pearl, LLC (collectively "Movants"), by and through their undersigned counsel, pursuant to Section 1334(c) and 1452(b) of Title 28 of the United States Code and Federal Rules of Bankruptcy Procedure 5011(b) and 9027, moves that this Honorable Court to (i) abstain from hearing the state law legal claims asserted by the Movants in Case No.: C-24-cv-24-002631 (the "Civil Action") in the Circuit Court for Baltimore City (the "State Court") and removed to this Court by the Debtor, Swain Landing LaPlata, JC, LLC, and (ii) remand the Civil Action to the State Court, and respectfully states as follows:

- The overwhelming majority of the Civil Action is a non-core proceeding under 28
 U.S.C. § 157.
 - 2. Pursuant to 28 U.S.C. § 1334(c)(2), this Honorable Court is required to abstain from

hearing and determining the Civil Action.

- 3. Pursuant to 28 U.S.C. § 1334 (c)(1), this Honorable Court should abstain from hearing and determining the Civil Action, and the Court should remand the Civil Action pursuant to 28 U.S.C. § 1452(b).
- 4. Movants submit the accompanying memorandum in support of this motion, which is adopted and incorporated herein.
- 5. Movants, do not consent to the entry of a final order or judgment by the Bankruptcy Court.

WHEREFORE, Movants respectfully request that this Honorable Court:

- (a) Abstain from hearing the Civil Action,
- (b) Remand the Civil Action to the State Court,
- (c) Remand the Non-Swain Claims, and/or
- (d) Grant such other and further relief as is just.

July 10, 2025

Respectfully submitted:

/s/ Patrick D. Gardiner

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Attorneys for Plaintiffs and Counter-Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of July, 2025, a copy of the foregoing was sent via CM-ECF on the following:

William J. Murphy, Esq. John J. Connolly, Esq. Kirk E. MacKinnon Morrow Zuckerman Spaeder, LLP 100 East Pratt Street, Suite 2440 Baltimore, MD 21202

Counsel for Defendant Whiteford, Taylor & Preston, LLP

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Counsel for Defendants Erik D. Bolog, Individually, and as Trustee of The JAREB Irrevocable Trust Agreement dated October 11, 2021, Science Park Associates, LLC, and Darnestown Road, Inc.

AND via first-class mail, postage prepaid on the following:

Michael Postal 1801 16th Street N.W., Apt 608 Washington, DC 20009

Defendant pro se

POJO LaPlata, LLC 4302 Broken Arrow Court, Apt 606 Clinton, MD 20735

Defendant pro se

Tenacity Investment, LLC 7333 New Hampshire Ave., Unit 103, Takoma Park, MD 20912

Defendant pro se

/s/ Patrick D. Gardiner
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